



MSPC Advisory Circular

ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF AIR PROGRAMS • MOBILE SOURCE POLLUTION CONTROL PROGRAM

A/C No. 1

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The establishment of the MSPC ADVISORY CIRCULAR system, of which this is the first issue, reflects the continued maturing of the Federal regulatory program that began some years ago, and under which emission control regulations were initially imposed for the 1968 model-year light-duty vehicles. Since that time there have been many changes in how the Federal government assures that emissions from new motor vehicles do not exceed levels that are harmful to health and welfare. And, as is typical of all regulatory programs, there has developed increasing regulatory complexity as the standards have been made more stringent and have been applied to more categories of vehicles and pollutants.

In any regulatory activity it is desirable that the ground rule for its conduct be spelled out as precisely as is possible. The basic ground rules, of course, are spelled out in the law, and further specified in the Federal Register, from which they are subsequently incorporated in the Code of Federal Regulations. However, even the regulations can never be sufficiently specific to cover every conceivable case that may arise; thus, they provide in a number of areas for the application of administrative judgment and do not state the administrative procedures by which the regulatory process is carried out.

It is important that an affected industry and the public are as fully aware as possible of the basis on which administrative judgment will be exercised, as well as of the administrative procedures that have an important impact on industry operations. In the past, the Mobile Source Pollution Control Program of the Office of Air Programs has endeavored to meet this need by writing identical letters to multiple addressees. That system has become inefficient. It is too time-consuming to type many identical copies of letters, and it is awkward to subsequently refer to such letters in case-related correspondence.

For that reason, we have devised this system of MSPC ADVISORY CIRCULARS. We expect it to be a more economical and more efficient way of communicating the same type of information that has been communicated by multiple letters. This system will allow us to respond more quickly to inquiries, and to get our response to more of the people who have a need to know.


My purpose in introducing this MSPC ADVISORY CIRCULAR system in this explanatory manner is to make clear what is intended by the material that will be communicated in it. An MSPC ADVISORY CIRCULAR is not a regulation, and does not have the force and effect of a regulation. In general, MSPC ADVISORY CIRCULARS will explain the details of procedures used to implement the law, will explain the reasons for policy decisions made within the framework of regulations, and will provide other significant information about the program. Some Advisory Circulars will contain information of permanent value; others may cover subjects of current but not continuing importance. As the Mobile Source Pollution Control program matures further, it may become necessary

to have separate series of Advisory Circulars for permanent and for ephemeral information. But such sophistication is not needed now.

As emphasized above, information to be communicated in MSPC Advisory Circulars is not of a regulatory nature. But I want also to emphasize that such information will always represent the fully-coordinated position of the Environmental Protection Agency. MSPC ADVISORY CIRCULARS will be issued over the signature of the Director of the Mobile Source Pollution Control program; this official is responsible for assuring that the content of each Advisory Circular is coordinated with other elements of EPA that may have a contribution to make to the issue at hand. Thus, while MSPC ADVISORY CIRCULARS will not have regulatory status, the content of such Advisory Circulars can be relied upon to reflect deliberate EPA policy on the issues at hand.

A few words about mechanics. It is suggested that each recipient of MSPC ADVISORY CIRCULARS set up a 3-ring loose-leaf binder to file them, for it is our intention, in future case-related correspondence, to refer whenever possible to guidance material that will be contained in these circulars. For the time being, distribution will be handled manually and the number of individual addressees kept to a minimum. As demand for Advisory Circulars grows, we may be able to set up mechanical distribution arrangements and enlarge our mailing list. We recognize that some organizations have a legitimate need for more than one copy (which was all we could send when we used individually-addressed letters). For now, we are willing to send multiple copies of MSPC ADVISORY CIRCULARS to one addressee in each major organization. If you want to receive more than one copy, please write to the Director, Mobile Source Pollution Control, Office of Air Programs, to communicate your copy needs.

We welcome your comments as to how this new communications system can be more fully utilized to meet your information needs.


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for Air Programs